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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

<i>Express Mail No</i>	EV 335 858 132 US
<i>Application Number</i>	09/760,506
<i>Filing Date</i>	January 12, 2001
<i>First Named Inventor</i>	Charlotte A. Kensil
<i>Group Art Unit</i>	1636
<i>Examiner Name</i>	Celine X. Qian
<i>Attorney Docket No.</i>	8449-153-999

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a.  Previously submitted
  - i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
*(Any unentered amendment(s) referred to above will be entered.)*
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed \_\_\_\_\_
  - iii.  Other \_\_\_\_\_
- b.  Enclosed
  - i.  Amendment/Reply
  - ii.  Affidavit(s)/Declaration(s): Declaration of Charlotte Kensil under 37 C.F.R. § 1.132.
  - iii.  Supplemental Information Disclosure Statement (IDS) with revised PTO Form 1449 with a copy of references AQ-AV.
  - iv.  Other : Petition for Extension of Time

## 2. Miscellaneous

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months.  
*(Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)*
- b.  Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed

- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Pennie & Edmonds LLP Deposit Account No. 16-1150:
  - i.  RCE fee required under 37 C.F.R. § 1.17(e), estimated to be \$ 385.00 (small entity)
  - ii.  Extension of time fee required under 37 C.F.R. §§ 1.136 and 1.17, estimated to be \$ \_\_\_\_\_ for a \_\_\_\_\_ month extension, the request for which is being made herewith
  - iii.  Other \_\_\_\_\_
- b.  Check in the amount of \$ \_\_\_\_\_ enclosed
- c.  Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Adriane M. Antler		Registration No. (Attorney/Agent)	32,605
Signature			Date	December 30, 2003

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner For Patents, P.O. Box 1450, Mail Stop RCE, Alexandria, VA 22313-1450, or by facsimile transmitted to fax no. 1-703-\_\_\_\_\_ to the U.S. Patent and Trademark Office on the date indicated below.

Name (Print/Type)		Registration No. (Attorney/Agent)
Signature		Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents P.O. Box 1450, Mail Stop RCE, Alexandria, VA 22313-1450.

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NY2: 1482375.1



Express Mail No. EV 335 858 132 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Charlotte A. Kensil

Confirmation No.: 2171

Application No.: 09/760,506

Group Art Unit: 1636

Filed: January 12, 2001

Examiner: Celine X. Qian

For: INNATE IMMUNITY-STIMULATING  
COMPOSITIONS OF CPG AND SAPONIN  
AND METHODS THEREOF

Attorney Docket No.: 8449-153-999

**AMENDMENT UNDER 37 C.F.R. § 1.114**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In response to the outstanding Office Action dated July 2, 2003, and pursuant to 37 C.F.R. § 1.114, please enter the following amendments and consider the following remarks. Attached herewith is a Declaration of Charlotte Kensil under 37 C.F.R. § 1.132, including Exhibits A through D and Appendix 1 (“the Kensil Declaration”). Applicant also submits herewith: (1) a Petition for Extension of Time for three months, up to and including January 2, 2004; (2) a Supplemental Information Disclosure Statement with revised PTO Form 1449 with a copy of references AQ-AV; (3) An Amendment Fee Transmittal; and (4) a Request for Continued Examination (“RCE”).

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks** begin on page 5 of this paper.

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